

TITLE 6: BUILDING REGULATIONS

DIVISION 3: BUILDING REGULATIONS

Chapter 1: UNIFORM BUILDING CODE AND APPENDIX, THEREOF, UNIFORM BUILDING CODE STANDARDS AND UNIFORM ADMINISTRATIVE CODE.

Sections:

- 63.011 Adoption of the 1991 Edition of the Uniform Building Code, and Appendix Thereof; the 1991 Edition of Uniform Building Code Standards; the 1991 Edition of Uniform Administrative Code; and the 1991 Edition of the Uniform Code for Building Conservation and Appendix Chapter I Thereof.
- 63.012 Changes in the Codes.
- 63.013 Relocation Permits.
- 63.014 Deadline for On-Site and/or Off-Site Improvements.

63.011 Adoption of the 1991 Edition of the Uniform Building Code, and Appendix Thereof; the 1991 Edition of Uniform Building Code Standards; the 1991 Edition of Uniform Administrative Code; and the 1991 Edition of the Uniform Code for Building Conservation and Appendix Chapter 1 Thereof.

A copy of the Code of Rules and Regulations known as the 1991 Edition of Uniform Building Code, and the Appendix thereof; the 1991 Edition of Uniform Building Code Standards; the Uniform Administrative Code, 1991 Edition; and the Uniform Code for Building Conservation and Appendix Chapter I thereof, 1991 Edition, all prepared and published by the International Conference of Building Officials, having been filed in the Office of the Clerk of the Board of Supervisors of the County of San Bernardino, are hereby designated and adopted by reference as the Building Code, the Building Code Standards, the Administrative Code and the Code for Building Conservation, for the unincorporated area of the County of San Bernardino, State of California.

Amended Ordinance #1234 (1965); Amended Ordinance #1644 (1971); Amended Ordinance #1928 (1974); Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983); Amended Ordinance #3130 (1987); Amended Ordinance #3462 (1991); Amended Ordinance #3517 (1992); Amended Ordinance #3627 (1995);

63.012 Changes in the Codes.

(a) The following changes are hereby made to the Uniform Building Code, 1991 Edition, as published by the International Conference of Building Officials.

(1) CHAPTERS 1, 2 AND 3 ARE DELETED.

(b) The following changes are hereby made to the Appendix of the Uniform Building Code, 1991 Edition, as published by the international Conference of Building Officials.

(1) APPENDIX CHAPTER 11 IS DELETED.

(2) APPENDIX CHAPTER 12 IS DELETED.

(3) APPENDIX CHAPTER 51 IS DELETED.

(4) APPENDIX CHAPTER 53 IS DELETED.

(c) The following changes are hereby made to the Uniform Administrative Code, 1991 Edition, as published by the International Conference of Building Officials.

(1) BOARD OF APPEAL. Section 204 of the Uniform Administrative Code is hereby superseded and replaced as follows:

(A) BOARD OF APPEAL ESTABLISHED. In order to determine the suitability of alternate materials and methods of construction, to provide for reasonable interpretations of this article and to conduct hearings pursuant to the technical codes of this article, there is hereby established the County of San Bernardino Board of Appeal. The Board of Appeal shall be appointed by the Board of Supervisors. The members shall be appointed for terms of four (4) years ending January 31. All members of the Board of Appeal may be removed at the pleasure of the Board of Supervisors. The members shall be reimbursed as provided by County Code § 13.0618.

(I) MEMBERSHIP. The Board of Appeal shall consist of members who are qualified by experience and training to review and reach decisions on matters pertaining to building construction and building service equipment. The board shall include seven (7) regular members, consisting of one (1) public member and the following individuals, licensed, registered or certified, as applicable by the State of California: one (1) architect, one (1) building contractor, one (1) mechanical contractor, one (1) electrical contractor, one (1) plumbing contractor and one (1) structural engineer. The Director of Building and Safety shall be an ex officio member and shall act as secretary of the board.

(II) RESPONSIBILITIES AND AUTHORITY. The Board of Appeal shall function as the "local appeal board" and the "housing appeal board" specified in §§ 17920.5 and 17920.6, respectively, of Division

13, Part 1.5 of the California Health and Safety Code. The authority of the board shall consist of the ability to consider appeals filed pursuant to this title; make reasonable interpretations of this title and the technical codes, as well as the suitability of alternate materials and methods of construction; review proposed ordinances and report their effect on the construction industry to the San Bernardino County Board of Supervisors, and conduct hearings on unsafe buildings pursuant to Chapter 6 of Division 3 of Title 6 of the San Bernardino County Code, Building and Property Rehabilitation, beginning with § 63.061, and on unsafe land surface conditions pursuant to Chapter 2 of Division 8 of Title 6 of the San Bernardino County Code, Abatement of Unsafe Land Surface Conditions, beginning with §63.021. All decisions of the board shall be rendered in writing.

(B) PHYSICALLY DISABLED ACCESS APPEAL BOARD ESTABLISHED. For the purpose of considering appeals to the standards of Title 24 of the California Code of Regulations (known as the California Building Code) regarding accommodations for the physically disabled, there is hereby established the County of San Bernardino Physically Disabled Access Appeal Board. The Physically Disabled Access Appeal Board shall be appointed by the Board of Supervisors and shall hold office at the pleasure of the Board of Supervisors. The members shall be reimbursed as provided by San Bernardino County Code § 13.0618.

(I) MEMBERSHIP. The Physically Disabled Access Appeal Board shall consist of five (5) members, including two (2) members who shall be physically disabled as defined in Section 2-417, Title 24, Part 2 of the California Code of Regulations, as well as the public member, the architect and building contractor who have also been appointed as members of the Board of Appeal pursuant to subsection (A) of this section. The Director of Building and Safety shall be an ex officio member and shall act as secretary of the board.

(II) RESPONSIBILITIES AND AUTHORITY. The Physically Disabled Access Appeal Board shall serve as the "local appeal board" specified in § 19957.5 of the California Health and Safety Code in appeals relating to accommodations for the physically disabled. The board shall adopt reasonable rules and regulations for conducting its investigations and deliberations. The authority of the board shall consist of the ability to consider appeals filed pursuant to this title relating to requirements for physically disabled access and authorize reasonable alternatives to physically disabled access requirements imposed by Title 24 of the California Code of Regulations. All decisions of the board shall be rendered in writing.

(2) APPEAL PROCEDURE. Decisions of the Director of the Building and Safety Department pursuant to this title, may be appealed by any applicant to the County of San Bernardino Board of Appeal as provided by this section. Decisions and actions of the Director of Building and Safety regarding the enforcement of the requirements of Division 13, Part 5.5 beginning with § 19955 of the California Health and Safety Code may be appealed by any person to the Physically Disabled Access Appeal Board as provided by this section.

(A) TIMING AND FORM OF APPEAL. An appeal shall be written and filed with the secretary of the Board of Appeal, or Physically Disabled Access Appeal Board (as applicable) within thirty (30) days of the decision that is the subject of the appeal. The appeal shall use the form provided by the Director of Building and Safety in addition to any other supporting materials the appellant may wish to furnish, setting forth the reasons for the appeal.

(B) HEARING AND DECISION. The secretary shall set the time and place for a hearing on the appeal by the board, and shall provide the applicant with notice of the time and place of the hearing by mailing such notice, postage prepaid, to the address provided by the applicant in the letter of appeal, at least ten (10) days before the hearing date. The decision of the Board of Appeal or Physically Disabled Access Appeal Board shall be final.

(c) The following changes are made to Appendix Chapter I of the Uniform Code for Building Conservation. Subsections (c), (d) and (e) are added to Section 111, to read as follows:

Section A111.

(c) Compliance Requirements.

(1) The owner of each building within the scope of this chapter shall, upon service of an order and within the time limits set forth in this chapter, cause a structural analysis to be made of the building by an engineer or architect licensed by the state to practice as such and, if the building does not comply with earthquake standards specified in this chapter, the owner shall cause it to be structurally altered to conform to such standards or shall cause the building to be demolished.

(2) The owner of a building within the scope of this chapter shall comply with the requirements set forth above by submitting to the Department of Building and Safety for review within the stated time limits:

(A) Within two hundred seventy (270) days after service of the order, a structural analysis, which is subject to approval by the Department of Building and Safety and which shall demonstrate that the building meets the minimum requirements of this chapter; or

(B) Within two hundred seventy (270) days after service of the order, the structural analysis and plans for structural alteration of the building to comply with this chapter; or

(C) Within one hundred twenty (120) days after service of the order, plans for the installation of wall anchors in accordance with the requirements specified in Section A110; or

(D) Within two hundred seventy (270) days after service of the order, plans for the demolition of the building.

(3) After plans are submitted and approved by the Department of Building and Safety, the owner shall obtain a building permit and then commence and complete the required construction or demolition within the time limits set forth in Table No. A-1-G. These time limits shall begin to run from the date the order is served in accordance with Section 11 I(c)(2), except that the time limit to commence structural alteration or demolition shall begin to run from the date the building permit is issued.

(4) Owners who elect to comply with item (2)(C) of this subsection are also required to comply with item (2)(B) or (2)(D) of this subsection provided, however, that the 270-day period provided for in item (2)(B) or (2)(D) and the time limits for obtaining a building permit and to complete structural alterations or building demolition set forth in Table No. A-1-G shall be extended in accordance with Table No. A-1-H. Each such extended time limit shall begin to run from the date the order is served in accordance with Section A111(c)(2), except that the time limit to commence structural alterations or demolition shall begin to run from the date the building permit is issued.

(d) Historical Buildings. Alterations or repairs to qualified historical buildings, as defined by § 18955 of the Health and Safety Code of the State of California and as regulated by §§ 18950 to 18961 of that code, as designated on official national, state or local historical registers or inventories, shall comply with the State Historical Building Code (California Code of Regulations, Title 24, Building Standards, Part 8), in addition to this chapter.

(e) Administration.

(1) Order -- service.

(A) The San Bernardino County Department of Building and Safety shall, in accordance with the priorities set forth in Table No. A-1-H, issue an order as provided in this section to the owner of each building within the scope of this chapter.

(B) Prior to the service of an order as set forth in Table No. A-1-H, a bulletin may be issued to the owner as shown upon the last equalized assessment roll or to the person in apparent charge. The bulletin may contain information the Department of Building and Safety deems appropriate. The bulletin may be issued by mail or in person.

(2) Order -- priority of service. Priorities for the service of the order for buildings within the scope of this chapter shall be in accordance with the rating classification as shown on Table No. A-1-H. Within each separate rating classification, the priority of the order shall normally be based upon the occupant load of the building. The owners of the buildings housing the largest occupant loads shall be served first. The minimum time period prior to the service of the owner as shown on Table No. A-1-H shall be measured from the effective date of this chapter. The Department of Building and Safety may, upon receipt of a written request from the owner, order such owner to bring this building into compliance with this chapter prior to the normal service date for such building set forth in this chapter.

(3) Order -- contents. The order shall be in writing and shall be served either personally or by certified or registered mail upon the owner as shown on the last equalized assessment roll, and upon the person, if any, in apparent charge or control of the building. The order shall specify that the building has been determined by the Department of Building and Safety to be within the scope of this chapter and therefore, is required to meet the minimum seismic standards of this chapter. The order shall specify the rating classification of the building and shall be accompanied by a copy of Section A111(c), which sets forth the owner's alternatives and time limits for compliance.

(4) Appeal from order. The owner of the building may appeal the Department of Building and Safety's initial determination that the building is within the scope of this chapter to the Board of Appeal established by § 63.012 of the County Code. Such appeal shall be filed with the Board within sixty (60) days from the service date of the order described in Section A111(e)(3). Any such appeal shall be decided by the Board no later than ninety (90) days after writing and the grounds thereof shall be stated clearly and concisely. Appeals or requests for modifications from any other determinations, orders or actions by the Department of Building and Safety pursuant to this chapter shall be made in accordance with the procedures established in §§ 105 and 106 of the Building Code.

(5) Recordation. At the time that the Department of Building and Safety serves the aforementioned order, the Department of Building and Safety shall also file with the Office of the County Recorder a certificate stating that the subject building is within the scope of this chapter and is a potentially earthquake hazardous building. The certificate shall also state that the owner thereof has been ordered to structurally analyze the building and to structurally alter or demolish it where compliance with this chapter has not been demonstrated.

If the building is either demolished, found not to be within the scope of this chapter or is structurally capable of resisting minimum seismic forces required by this chapter as a result of structural alterations or an analysis, the Department of Building and Safety shall file with the Office of the County Recorder a form terminating the status of the subject building as being classified within the scope of this chapter.

(6) Enforcement. If the owner or person, if any, in apparent charge or control of the subject building fails to comply with any order issued by the Department of Building and Safety pursuant to this chapter within any of the time limits set forth in Section A111(c), the Department of Building and Safety shall verify that the record owner of this building has been properly served. If the order has been served on the record owner, then the Department of Building and Safety shall order that the entire building be vacated and that the building remain vacated until such order has

been complied with. If compliance with such order has not been accomplished within ninety (90) days after the date the building has been ordered vacated or such additional time as may have been granted by the Board of Appeal, the Department of Building and Safety may order its demolition in accordance with the provisions of Section 203 of the Building Code obtaining a building permit and to complete structural alterations or building demolition set forth in Table No. A-1-G shall be extended in accordance with Table No. A-1-H. Each such extended time limit shall begin to run from the date the order is served in accordance with Section A111(c)(2), except that the time limit to commence structural alterations or demolition shall begin to run from the date the building permit is issued.

TABLE NO. A-1-G -- TIME LIMITS FOR COMPLIANCE

Required Action By Owner	Obtain Building Permit Within	Commence Construction Within	Complete Construction Within
Structural Alterations or Building Demolition	1 year ²	180 days ¹	3 years ²
Wall Anchors	180 days ²	270 days ²	1 year ²

¹Measured from date of building permit issuance.

²Measured from date of service of order.

TABLE NO. A-1-H -- EXTENSIONS OF TIME AND SERVICE PRIORITIES

Rating Classification	Occupant Load	Extension of Time if Wall Anchors are Installed	Periods For Service of Order
I (Highest Priority)	N/A	N/A	N/A
II	100 or more	1 year	180 days
III-A	100 or more	1 year	1 year
III-B	More than 50 but Less than 100	1 year	2 years
III-C	More than 19 but Less than 51	1 year	3 years
IV (Lowest Priority)	Less than 20	1 year	4 years

Amended Ordinance #1234 (1965); Amended Ordinance #1644 (1971); Amended Ordinance #1659 (1971); Amended Ordinance #1675 (1971); Amended Ordinance #1739 (1972); Amended Ordinance #1741 (1972); Amended Ordinance #1928 (1974); Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980); Amended Ordinance #2674 (1982); Amended Ordinance #2815 (1983); Amended Ordinance #3130 (1987); Amended Ordinance #3462 (1991); Amended Ordinance #3517 (1992); Amended Ordinance #3627 (1995);

63.013 Relocation Permits.

(a) RELOCATION BUILDING PERMIT REQUIRED. A person shall not move onto any premises, other than a commercial storage yard authorized for such use, any building or structure, except a contractor's tool house,

construction building or similar structure which is moved as construction requires, until he or she first secures a relocation building permit as hereinafter provided.

(b) APPLICATION. Applicants for relocation permits shall submit photographs of at least two (2) separate elevations, one of which shall be the front, and a certificate from a pest control agency or operator licensed under the Structural Pest Control Act of California, showing freedom from termite infestation, for each building or structure to be moved, when application for a relocation permit is filed.

(c) INSPECTION FEE. The applicant shall pay an inspection fee upon application for a permit to move a building or structure in accordance with Chapter 2 of Division 6 of Title 1 of the San Bernardino County Code. There shall be no inspection or inspection fee on a building or structure to be moved out of the County of San Bernardino.

(d) BUILDING AND RELOCATION SITE INSPECTION REPORT. Upon receipt of an application for a permit to relocate a building or structure and receipt of payment of the prescribed inspection fee, the Director of Building and Safety shall inspect the building or structure to be moved and the proposed relocation site, and prepare a written report which shall be forwarded to the applicant. This report shall contain the approval or disapproval of the Director of Building and Safety and, if approved for moving, shall contain the requirements necessary to make the building or structure conform to the requirements of the San Bernardino County Code for new buildings and any additional requirements necessary to assure that such relocation shall not have detrimental effect by size, design, or age on the living environment and property values in the area into which the building or structure is to be moved.

(e) REPORT VALIDITY. Additional corrections may be added to the report whenever the structure has been vandalized, damaged during transportation, or altered in any manner after the on-site inspection. Otherwise, the inspection report shall remain valid for a period of ninety (90) days after the building or structure has been inspected. At the end of such time, if the building or structure has not been relocated, a new report and inspection fee will be required.

(f) CHANGES. The applicant shall make all required changes within one hundred eighty (180) days and shall agree in writing to do so. This time limitation may be extended by the Director of Building and Safety upon receipt of evidence of just and proper cause; provided, however, that no such extension shall be granted when, in his or her judgment, such an extension would be detrimental to the public welfare for any cause or reason.

(g) DECLARATION OF PUBLIC NUISANCE. When any relocated building or structure or portion thereof remains unfinished or unfit for occupancy after expiration of the time limit herein specified, any and all permits pertaining thereto shall expire by limitation and such building or structure or portion thereof is hereby declared a public nuisance and shall be abated as provided for abatement of public nuisances in Chapter 6 of Division 3 of Title 6 of the San Bernardino County Code, beginning with § 63.061.

Amended Ordinance #1234 (1965); Amended Ordinance #1403 (1968); Amended Ordinance #1644 (1971);
Amended Ordinance #1708 (1972); Amended Ordinance #1928 (1974); Amended Ordinance #2159 (1977);
Amended Ordinance #2473 (1980); Amended Ordinance #2815 (1983); Amended Ordinance #3130 (1987);
Amended Ordinance #3462 (1991); Amended Ordinance #3517 (1992); Amended Ordinance #3627 (1995);

63.014 Deadline for On-Site and/or Off-Site Improvements.

On-site and/or off-site improvements required by the terms of Title 8 of the San Bernardino County Code or Community Plan must be completed and approved prior to occupancy or prior to connection of utilities. A cash deposit may be submitted in lieu of on-site improvements.

Amended Ordinance #1234 (1965); Amended Ordinance #1644 (1971); Amended Ordinance #1928 (1974);
Amended Ordinance #1930 (1974); Amended Ordinance #2159 (1977); Amended Ordinance #2473 (1980);
Amended Ordinance #2815 (1983); Amended Ordinance #3130 (1987); Amended Ordinance #3462 (1991);
Amended Ordinance #3517 (1992); Amended Ordinance #3627 (1995);